

**Senate File 2128 - Introduced**

SENATE FILE 2128

BY BROWN

**A BILL FOR**

1 An Act relating to notices by the department of workforce  
2 development regarding claims for unemployment benefits.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.6, subsection 2, Code 2018, is amended  
2 to read as follows:

3 2. *Initial determination.* A representative designated by  
4 the director shall promptly notify all interested parties to  
5 the claim of its filing, and the parties have ten calendar  
6 days from the date of ~~mailing~~ receipt of the notice of the  
7 filing of the claim sent by ordinary certified mail to the  
8 last known address to protest payment of benefits to the  
9 claimant. The representative shall promptly examine the claim  
10 and any protest, take the initiative to ascertain relevant  
11 information concerning the claim, and, on the basis of the  
12 facts found by the representative, shall determine whether  
13 or not the claim is valid, the week with respect to which  
14 benefits shall commence, the weekly benefit amount payable  
15 and its maximum duration, and whether any disqualification  
16 shall be imposed. The claimant has the burden of proving  
17 that the claimant meets the basic eligibility conditions of  
18 section 96.4. The employer has the burden of proving that the  
19 claimant is disqualified for benefits pursuant to [section 96.5](#),  
20 except as provided by [this subsection](#). The claimant has the  
21 initial burden to produce evidence showing that the claimant  
22 is not disqualified for benefits in cases involving section  
23 96.5, subsections 10 and 11, and has the burden of proving  
24 that a voluntary quit pursuant to [section 96.5, subsection 1](#),  
25 was for good cause attributable to the employer and that the  
26 claimant is not disqualified for benefits in cases involving  
27 section 96.5, subsection 1, paragraphs "a" through "h". Unless  
28 the claimant or other interested party, ~~after notification~~  
29 ~~or~~ within ten calendar days after the date notification was  
30 ~~mailed to the claimant's last known address~~ received by mail,  
31 files an appeal from the decision, the decision is final  
32 and benefits shall be paid or denied in accordance with the  
33 decision. If an administrative law judge affirms a decision of  
34 the representative, or the appeal board affirms a decision of  
35 the administrative law judge allowing benefits, the benefits

1 shall be paid regardless of any appeal which is thereafter  
2 taken, but if the decision is finally reversed, no employer's  
3 account shall be charged with benefits so paid and this relief  
4 from charges shall apply to both contributory and reimbursable  
5 employers, notwithstanding [section 96.8, subsection 5](#).

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with  
8 the explanation's substance by the members of the general assembly.

9 This bill requires the department of workforce development  
10 to send notifications that a claim for unemployment benefits  
11 has been filed to parties to the claim by certified mail rather  
12 than ordinary mail as required under current law.

13 The bill also gives parties to a claim 10 days from the  
14 date notification of the department's decision on the claim is  
15 received to appeal the decision. Current law requires that an  
16 appeal be filed after a claimant or other interested party is  
17 notified or 10 days after the notification was mailed to the  
18 claimant's last known address.